

**REMARKS**

Claims 1-3, 5-7, 9-11, 13-15, and 17-24 are pending. The Office Action dated March 13, 2009, in this Application has been carefully considered. The above amendments and the following remarks are presented in a sincere attempt to place this Application in condition for allowance. Claims 1-2, 5-6, 9-10, and 13-14 have been amended in this Response. Claims 4, 8, 12, and 16 have been cancelled in this Response. Claims 17-24 have been added in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and following remarks.

***Amendment to the Specification***

The specification has been amended to identify the related applications by application number. No new matter is added.

***Broadening Claim Amendments***

Claims 1, 5, 9, and 13 have been amended to recite “a database of parts” instead of “a database of units and parts” and “part identifier” instead of “part number.” Applicants contend that the rationale underlying this amendment bears no more than a tangential relation to any rejection in question because the amendments broaden Claims 1, 5, 9, and 13, and the differences between the terms are not the focus of any rejection or relied on to overcome any rejection. Accordingly, Applicants do not intend to surrender any equivalents encompassed by Claims 1, 5, and 9, and 13 as a result of this amendment.

***Claim Objections***

Claim 4 stands objected to as being in improper dependent form for failing to limit the subject matter of a previous claim. Claim 4 has been cancelled in this Response. Accordingly, Applicant respectfully requests that the objection be withdrawn. While Claims 8, 12, and 16 were not objected to, they recited similar limitations and have also been cancelled.

***Claim Rejections – 35 U.S.C. § 112 and 35 U.S.C. § 101***

Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. The Office Action states that Claim 1 omits a step “in reciting what to do if there are suitable parts that exist.” Claim 1 has been amended to recite “if a suitable unused part exists in the inventory of unused parts, then selecting the suitable unused part for the assembly of the custom architectural feature identified by the custom unit.” Support for this amendment may be found at least at page 18, lines 19-21 of the Application as originally filed. Accordingly, Applicant respectfully requests that the rejection of Claim 1 under 35 U.S.C. § 112, second paragraph, be withdrawn and that Claim 1 be allowed. Although Claims 5, 9, and 13 were not rejected as being incomplete, Claims 5, 9, and 13 have been amended to recite similar limitations.

Claims 1, 5, 9, and 13 have also been amended to recite “waiting for the mold to become available if the mold is unavailable” for completeness, although the claims were not rejected as omitting a step reciting what to do if the mold is unavailable. Support for this amendment may be found at least at page 18, lines 11-13 of the application as originally filed.

Claims 1-4 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. This rejection is traversed. As stated in the Office Action, “an applicant may show that a process claim is statutory either by showing that his claim is tied to a particular machine, or by showing that his claims transforms an article to a different state or thing.” The Office Action states “[t]he claims as recited... do not transform the numerical data inputted into a different state or thing.” However, Claims 1-4 as recited do transform the “numerical data” into a different state or thing, namely, parts selected for the assembly of the architectural feature identified by the custom unit. The “numerical data” in amended Claims 1-4 would be the abstract description of the custom unit identifying the

custom architectural feature. The method transforms the abstract description of the custom unit into physical parts selected for assembly of the custom architectural feature.

Claims 1-4 also stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter because the Office Action states Claims 1-4 can be interpreted as claiming a human being. The Office Action states “Claim 1-4 do not recited a particular machine and each step can reasonably be performed by a human. Therefore, as written, the claims can be interpreted to be claiming a human being, which is not statutory subject matter.” This rejection is traversed. Claims 1-4 each claim a method, not living subject matter under M.P.E.P. § 2105. The methods of Claims 1-4 are methods, not human beings, regardless of whether a human being may reasonably perform each step. The elements of Claims 1-4 are elements of a method, not elements of a human being.

Applicant therefore submits that Claims 1-4 are statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicant respectfully requests that the rejection of Claims 1-4 under 35 U.S.C. § 101 be withdrawn and that Claims 1-4 be allowed.

Claims 5-12 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states that “[t]he code that is being used to perform the steps is not defined. It is generic and non-descript.” This rejection is traversed.

With reference to the best mode requirement, M.P.E.P. § 2161.01 states ““As a general rule, where software constitutes part of a best mode of carrying out an invention, description of such a best mode is satisfied by a disclosure of the functions of the software. This is because, normally, **writing code for such software is within the skill of the art, not requiring undue experimentation, once its functions have been disclosed. . . . [F]low charts or source code listings are not a requirement for adequately disclosing the functions of software.**”” (emphasis added) (quoting *Fonar Corp. v. General Electric Co.*, 107 F.3d 1543, 49 USPQ2d 1801, 1805 (Fed.

Cir. 1997)). Similarly, the specification sufficiently discloses the functions of the code to reasonably convey to one skilled in art that Applicant, at the time the application was filed, had possession of the claimed invention. The disclosed functions of the code for Claims 5-12 prior to the above amendments may be found at least at Figures 7a and 7b and pages 16-19, lines 13-2, of the application as originally filed. The disclosed functions of the code for the above amendments to Claims 5-12 may be found at least at the locations cited below for support for those amendments.

Applicant therefore submits that Claims 5-12 comply with the written description requirement of 35 U.S.C. § 112, first paragraph. Accordingly, Applicant respectfully requests that the rejections of Claims 5-12 under 35 U.S.C. § 112, first paragraph, be withdrawn and that Claims 5-12 be allowed.

Claims 5-12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action states that “[t]he word ‘code’ lacks a clear and precise definition within the specification.” This rejection is traversed.

While the specification does not specifically define “code,” it does describe the operations of a computer system at least on page 13, line 8, through page 16, line 12, of the Application as originally filed. M.P.E.P. § 2173.02 states “a claim term that is not used or defined in the specification is not indefinite if the meaning of the claim term is discernable.” From the description in the specification, one of ordinary skill in the art can discern the meaning of “code” as used in Claims 5-12.

Applicant therefore submits that Claims 5-12 are not indefinite under 35 U.S.C. § 112, second paragraph. Accordingly, Applicant respectfully requests that the rejection of Claims 5-12 under 35 U.S.C. § 112, second paragraph, be withdrawn and that Claims 5-12 be allowed.

Claims 13-16 stand rejected under 35 U.S.C. § 112, first paragraph, 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 101.

Claims 13-16 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Office Action states “[t]he specification does not disclose the structural means for performing the steps. The code referenced is software which is neither structural nor statutory, and it is generic and non-descript.”

Claims 13-16 stand rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. The Office Action states “Claims 13-16 recite an apparatus, with means for language that invokes U.S.C. 1112, 6th ¶ that has no structural recitation within the specification to perform the recited functions.”

Claims 13-16 stand rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. The Office Action states “[a]n ‘apparatus’ defined merely by software or terms synonymous with software is not deemed statutory. The apparatus as recited does not have any structural definition within claims and the specification does not disclose any structure relationship to said apparatus.”

These rejections are traversed. At least Figure 6 and page 13, line 8, through page 16, line 12, of the application as originally filed disclose a structural relationship for Claims 13-16. Figure 6 discloses a structure, including a computer network 602, a server 604, a computer system 606, and a workstation 612. Page 13, line 8, through page 16, line 12, describes what is shown in Figure 6. The specification discloses a structural relationship for Claims 13-16 and in the structural relationship Claims 13-16 are not defined merely by software.

In response to the Office Action's assertion in the rejection under 35 U.S.C. § 112, first paragraph, that the code referenced is "generic and non-descript," the remarks for the 35 U.S.C. § 112, first paragraph, rejection of Claims 5-12 above are incorporated herein by reference. The specification sufficiently discloses the functions of the code to reasonably convey to one skilled in art that Applicant, at the time the application was filed, had possession of the claimed invention.

Applicant therefore submits that Claims 13-16 are statutory subject matter under 35 U.S.C. § 101. Accordingly, Applicant respectfully requests that the rejection of Claims 13-16 under 35 U.S.C. § 101 be withdrawn and that Claims 13-16 be allowed.

***Claim Rejections – 35 U.S.C. § 103***

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2001/0032111 to Jensen et al. ("Jensen") in view of U.S. Patent No. 6,088,626 to Lilly et al. ("Lilly") in further view of U.S. Publication No. 2003/0214069 to Suto et al. ("Suto"). In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Accordingly, Applicant respectfully requests that the rejections be withdrawn.

Rejected independent Claim 1 as now amended more particularly recites one of the distinguishing characteristics of the present invention. Claim 1 has been amended to recite:

A method for custom manufacturing decorative, cast stonework, comprising:  
selecting an architectural picture from a plurality of architectural pictures, the architectural picture showing at least a plurality of units, each unit identifying an architectural feature;

selecting a unit of the plurality of units, the unit comprising:

a plurality of parts;

at least one parametric equation having at least one control dimension as an input, the parametric equation defining at least one physical dimension of the plurality of parts and at least one arrangement of the plurality of parts, wherein:

the at least one physical dimension comprises at least one measurement of the architectural feature;

the at least one physical dimension determines a relative size of at least two parts of the plurality of parts;

the at least one arrangement determines a relative position of at least two parts of the plurality of parts; and  
the at least one physical dimension and the at least one arrangement determine at least a two-dimensional view of the unit in a first spatial dimension and a second spatial dimension;  
varying the at least one control dimension;  
in response to the varying the at least one control dimension, parametrically calculating, using the at least one parametric equation, at least the physical dimension and the arrangement, thereby defining a custom unit identifying a custom architectural feature;  
selecting at least one profile of a plurality of profiles for at least one part of the custom unit, the at least one profile determining at least a two-dimensional view of the at least one part in a third spatial dimension and one of the first and second spatial dimensions, the third spatial dimension distinct from the first and second spatial dimensions;  
generating a drawing of the custom unit;  
~~receiving an order, wherein the order at least comprises one drawing, and wherein the at least one drawing at least comprises at least one part of a plurality of parts that comprise a unit;~~  
storing the [[order]]drawing; and  
for each part of the plurality of parts:  
referencing the at least one first part to a database of units and parts, wherein [[the]]a least one first part number identifier is associated with the at least one first part;  
determining if a suitable unused part of a plurality of unused parts exists within an inventory of unused parts by an associated part identifier, wherein each unused part of the plurality unused parts have part identifiers associated therewith;  
if a suitable unused part exists in the inventory of unused parts, then selecting the suitable unused part for the assembly of the custom architectural feature identified by the custom unit;  
if no suitable part exists in the inventory of unused parts, then:  
determining if a mold for the at least one part exists in an inventory of molds;  
if no mold exists in the inventory of molds, then manufacturing or buying a mold for the at least one first part;  
if a mold exists in the inventory of molds, then determining if the mold is available and waiting for the mold to become available if the mold is unavailable;  
retrieving the mold, once available, manufactured, or bought; and  
casting the at least one first part with the mold that has been retrieved; and  
selecting the cast part for the assembly of the custom architectural feature identified by the custom unit.

Support for this Amendment can be found at least at Figure 8A, page 17, lines 1-7, and page 21, lines 14-20, of U.S. Patent Application Serial No. 10/783,917 as originally filed, Figures 9-10, pages 6-7, lines 7-3, pages 17-18, lines 14-2, and pages 18-19, lines 16-10, of U.S. Patent Application Serial No. 10/783,365 as originally filed, and Figure 7A, page 18, lines 10-14, and page 9, lines 6-15 of the present application as originally filed. U.S. Patent Application Serial No. 10/783,917 and U.S. Patent Application Serial No. 10/783,365 were incorporated by reference into the present application at page 1, lines 5-16, of the application as originally filed.

The cited references do not disclose the limitations of amended Claim 1. Amended Claim 1 now recites:

- selecting a unit of the plurality of units, the unit comprising:
  - a plurality of parts;
  - at least one parametric equation having at least one control dimension as an input, the parametric equation defining at least one physical dimension of the plurality of parts and at least one arrangement of the plurality of parts, wherein:
    - the at least one physical dimension comprises at least one measurement of the architectural feature;
    - the at least one physical dimension determines a relative size of at least two parts of the plurality of parts;
    - the at least one arrangement determines a relative position of at least two parts of the plurality of parts; and
    - the at least one physical dimension and the at least one arrangement determine at least a two-dimensional view of the unit in a first spatial dimension and a second spatial dimension;
- varying the at least one control dimension;
- in response to the varying the at least one control dimension, parametrically calculating, using the at least one parametric equation, at least the physical dimension and the arrangement, thereby defining a custom unit identifying a custom architectural feature;

Jensen, Lilly, and Suto do not disclose at least these limitations. U.S. Patent No. 6,263,322 to Kirkevold et al. ("Kirkevold"), cited in the rejection of Claim 2, also does not disclose at least these limitations.



Amended Claim 1 recites a parametric equation that defines at least one physical dimension of a plurality of parts and at least one arrangement of the plurality of parts. The parametric equation has at least one control dimension as an input. In response to varying the control dimension, the physical dimension and the arrangement are parametrically calculated using the at least one parametric equation. The calculation defines a custom unit identifying a custom architectural feature.

The Office Action cites the “component parts or raw materials on-site” in paragraph [0026] of Jensen as disclosing the “parts.” Jensen does not disclose that the component parts or raw materials have a physical dimension or arrangement defined by at least one parametric equation as recited in Claim 1. Jensen discloses that the customer may select attributes of the tangible device ordered. Jensen paragraph [0044]. However, Jensen does not disclose the attributes include a control dimension which is an input to a parametric equation that defines at least one physical dimension of a plurality of parts and at least one arrangement of a plurality of parts.

Lilly discloses a system for scheduling work orders. Lilly column 3, lines 13-15. “A ‘work order’ order is a request to manufacture one or more distinct parts in a manufacturing facility.” Lilly column 3, lines 61-62. Lilly discloses that the work order information identifies operations to be performed and materials to be used in the operations. Lilly column 3, lines 15-41. The work order information also includes a release date and a want date. Lilly column 3, lines 22-25. Lilly does not disclose that the parts in the work order have a physical dimension or arrangement defined by at least one parametric equation as recited in Claim 1. Lilly also does not disclose that the work order includes varying a control dimension and defining a custom unit in response to the varying of the control dimension as recited in Claim 1.

Suto is cited only for its disclosure of casting a part using a mold. Suto discloses treating wall blocks so that they have the appearance of natural stone. Suto paragraph [0012]. Suto states that “[t]he texturing apparatus could be used for a block of any desired dimension.” Suto paragraph [0070]. Suto is not concerned with the size of the blocks, only how they are textured. Suto does not disclose a plurality of parts related by a parametric equation as recited in Claim 1 or varying an input to the parametric equation to recalculate a physical dimension and arrangement of the parts as recited in Claim 1.

Kirkevold is cited in the rejection of Claim 2 for its disclosure on column 6, lines 45-57. On column 6, pages 45-47, Kirkevold discloses finding automotive part availability in an automotive shop inventory by task identifier. Kirkevold is concerned with the computerization of automotive repair shops and dealerships. Kirkevold column 1, lines 15-21. The shops and dealerships are for automotive *repair*, and would thus require an existing automobile. The physical dimensions and arrangement of the automotive parts would be determined by the existing automobile, and could not be varied. Kirkevold does not disclose a plurality of parts related by a parametric equation as recited in Claim 1 or varying an input to the parametric equation to recalculate a physical dimension and arrangement of the parts as recited in Claim 1.

In view of the foregoing, it is apparent that the cited references do not teach the unique combination now recited in amended Claim 1. Applicant therefore submits that amended Claim 1 is clearly and precisely distinguishable over the cited reference in a patentable sense, and is therefore allowable over this reference and the remaining references of record. Accordingly, Applicant respectfully requests that the rejection of amended Claim 1 under 35 U.S.C. § 103(a) be withdrawn and that Claim 1 be allowed.

Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto in further view of Kirkevold. However, Claim 2 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 2 should be deemed to be in condition for allowance. Applicants respectfully request that the rejection of dependent Claim 2 also be withdrawn.

Claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. However, Claims 3-4 depend from and further limit Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claims 3-4 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 3-4 also be withdrawn.

Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Claim 5 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 5 should be deemed to be in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 5 under 35 U.S.C. § 103(a) be withdrawn and that Claim 5 be allowed.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto in further view of Kirkevold. However, Claim 6 depends from and further limits Claim 5. Hence, for at least the aforementioned reasons that Claim 5 should be deemed to be in condition for allowance, Claim 6 should be deemed to be in condition for

allowance. Applicants respectfully request that the rejection of dependent Claim 6 also be withdrawn.

Claims 7-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. However, Claims 7-8 depend from and further limit Claim 5. Hence, for at least the aforementioned reasons that Claim 5 should be deemed to be in condition for allowance, Claims 7-8 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 7-8 also be withdrawn.

Claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Claim 9 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 9 should be deemed to be in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 9 under 35 U.S.C. § 103(a) be withdrawn and that Claim 9 be allowed.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto in further view of Kirkevold. However, Claim 10 depends from and further limits Claim 9. Hence, for at least the aforementioned reasons that Claim 9 should be deemed to be in condition for allowance, Claim 10 should be deemed to be in condition for allowance. Applicants respectfully request that the rejection of dependent Claim 10 also be withdrawn.

Claims 11-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. However, Claims 11-12 depend from and further limit Claim

9. Hence, for at least the aforementioned reasons that Claim 9 should be deemed to be in condition for allowance, Claims 11-12 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 11-12 also be withdrawn.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. In light of the amendments submitted herewith, Applicant respectfully submits that the rejections have been overcome. Claim 13 has been amended similarly to Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 13 should be deemed to be in condition for allowance. The above remarks discussing why Claim 1 should be deemed in condition for allowance are incorporated herein by reference. Accordingly, Applicant respectfully requests that the rejection of amended Claim 13 under 35 U.S.C. § 103(a) be withdrawn and that Claim 13 be allowed.

Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto in further view of Kirkevold. However, Claim 14 depends from and further limits Claim 13. Hence, for at least the aforementioned reasons that Claim 13 should be deemed to be in condition for allowance, Claim 14 should be deemed to be in condition for allowance. Applicants respectfully request that the rejection of dependent Claim 14 also be withdrawn.

Claims 15-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jensen in view of Lilly in further view of Suto. However, Claims 15-16 depend from and further limit Claim 13. Hence, for at least the aforementioned reasons that Claim 13 should be deemed to be in condition for allowance, Claims 15-16 should be deemed to be in condition for allowance. Applicants respectfully request that the rejections of dependent Claims 15-16 also be withdrawn.

Claim 17 has been added in this Response. Support for Claim 17 can be found at least at page 2, lines 18-22, of the Application as originally filed. Claim 17 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 17 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 17 be allowed.

Claim 18 has been added in this Response. Support for Claim 18 can be found at least at Figure 9 and pages 22-23, lines 21-13, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present application at page 1, lines 5-16, of the present application as originally filed. Claim 18 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 18 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 18 be allowed.

Claim 19 has been added in this Response. Support for Claim 19 can be found at least at Figure 10 and page 23, line 14, through page 25, line 17, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present application at page 1, lines 5-16, of the present application as originally filed. Claim 19 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 19 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 19 be allowed.

Claim 20 has been added in this Response. Support for Claim 20 can be found at least at page 17, lines 3-6, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present

application at page 1, lines 5-16, of the present application as originally filed. Claim 20 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 20 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 20 be allowed.

Claim 21 has been added in this Response. Support for Claim 21 can be found at least at Figures 12-13 and pages 27-28, lines 23-9, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present application at page 1, lines 5-16, of the present application as originally filed. Claim 21 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 21 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 21 be allowed.

Claim 22 has been added in this Response. Support for Claim 22 can be found at least at Figures 12-13 and page 27, line 6, through page 30, line 12, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present application at page 1, lines 5-16, of the present application as originally filed. Claim 22 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 22 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 22 be allowed.

Claim 23 has been added in this Response. Support for Claim 23 can be found at least at Figure 12 and page 28, lines 10-22, of U.S. Patent Application Serial No. 10/783,365 as originally filed. U.S. Patent Application Serial No. 10/783,365 is incorporated by reference into the present application at page 1, lines 5-16, of the present application as originally filed. Claim

23 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 23 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 23 be allowed.

Claim 24 has been added in this Response. Support for Claim 24 can be found at least at page 9, lines 11-22, of the application as originally filed. Claim 24 depends from and further limits Claim 1. Hence, for at least the aforementioned reasons that Claim 1 should be deemed to be in condition for allowance, Claim 24 should be deemed to be in condition for allowance. Applicants respectfully request that Claim 24 be allowed.

\*\*\*\*\*



Applicant has now made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-3, 5-7, 9-11, 13-15, and 17-24.

Applicant hereby requests an extension of time for making this reply and hereby authorizes the Director to charge the required fee to Deposit Account No. 50-0605 of CARR LLP. Regarding new Claims 17-24, Applicant hereby authorizes the Director to charge the fee(s) required under 37 C.F.R. §1.16(i), for four Claims in excess of 20, to Deposit Account No. 50-0605 of CARR LLP. Applicant does not believe that any other fees are due; however, in the event that any other fees are due, the Director is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account No. 50-0605 of CARR LLP.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

CARR LLP

Dated: June 29, 2009  
CARR LLP  
670 Founders Square  
900 Jackson Street  
Dallas, Texas 75202  
Telephone: (214) 760-3030  
Fax: (214) 760-3003

/Gregory W. Carr/  
Gregory W. Carr  
Reg. No. 31,093